

JEDEDIAH WAKEFIELD (CSB No. 178058)
jwakefield@fenwick.com
 TODD R. GREGORIAN (CSB No. 236096)
tgregorian@fenwick.com
 CLIFFORD C. WEBB (CSB No. 260885)
cwebb@fenwick.com
 FENWICK & WEST LLP
 555 California Street, 12th Floor
 San Francisco, California 94104
 Telephone: (415) 875-2300
 Facsimile: (415) 281-1350

Attorneys for Defendant and Counterclaimant
 GROUPON, INC.

JACK RUSSO (CSB No. 96068)
jrusso@computerlaw.com
 CHRISTOPHER SARGENT (CSB No. 246285)
csargent@computerlaw.com
 COMPUTERLAW GROUP LLC
 401 Florence Street
 Palo Alto, CA 94301
 Telephone: 650.327.9800
 Facsimile: 650.618.1863

Attorneys for Plaintiff and Counterclaim
 Defendant GROUPION, LLC and Specially
 Appearing for PETER-CHRISTOPH HAIDER

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

GROUPION, LLC, a California limited
 liability company,

Plaintiff,

v.

GROUPON, INC., a Delaware corporation,
 THE POINT, INC., a Delaware corporation,
 and GOOGLE, INC., a Delaware corporation,

Defendants.

GROUPON, INC., a Delaware corporation,

Counterclaimant,

v.

GROUPION, LLC, a California limited
 liability company, and PETER-CHRISTOPH
 HAIDER, an individual

Counterclaim Defendants.

Case No.: 3:11-cv-00870-JSW (MEJ)

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO VACATE
 TRIAL DATE**

WHEREAS, on August 20, 2012, this Court ordered that the parties appear at a settlement conference before one of the district's Magistrate Judges (Dkt. 192), and said settlement conference took place on September 24, 2012 before Magistrate Judge Cousins;

WHEREAS, the parties were subsequently able to reach an agreement in principle settling all claims in the litigation;

WHEREAS, the parties have worked diligently to finalize settlement documentation and related documents, but do not expect to have that documentation completed before the December 4, 2012 pretrial conference; and

WHEREAS, the parties do not wish to expend resources on or burden the Court with further trial preparation work in light of the impending settlement;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties, subject to the approval of the Court, that all currently pending case deadlines be vacated, and that counsel for the parties shall either file dismissals of the action or report to Magistrate Judge Cousins for a further settlement conference on or before December 14, 2012.

IT IS SO STIPULATED.

Dated: November 30, 2012

FENWICK & WEST LLP

By: /s/Jedediah Wakefield

Jedediah Wakefield
Attorneys for Counterclaimant
Groupon, Inc.

Dated: November 30, 2012

COMPUTERLAW GROUP LLP

By: /s/Jack Russo

Jack Russo
Attorneys for Counterclaim Defendants
Groupon, LLC and Peter Christoph Haider

[PROPOSED] ORDER

PURSUANT TO STIPULATION, and good cause appearing, all currently pending case deadlines are **VACATED**. Counsel for the parties shall either file dismissals of the action or report to Magistrate Judge Cousins for a further settlement conference on or before December 14, 2012.

IT IS SO ORDERED.

December 3
Dated: ~~November~~ ____, 2012



The Honorable Jeffrey S. White

FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO